

**ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
JULY 16, 2015 AT 8:00 P.M.**

Mr. Florek called the meeting to order by reading the following statement: “As Presiding Officer of the Colts Neck Zoning Board, I hereby declare that the notice requirements of the law have been satisfied by prominently posting a notice of this meeting on the Township Bulletin Board, and that there has been transmitted by regular mail a copy of said Notice to the Asbury Park Press, and that a copy is on file in the office of the Township Clerk. I further order that this public announcement be placed in the minutes of this meeting”.

Salute the Flag

Roll Call:

PRESENT: Florek, Bennett, Karch, Sobieski, Yodakis, Burke and Sullivan

ABSENT: Farrell and Burry

ALSO PRESENT: Timothy Anfusio, P.P., Mike Steib, Esq. and Ruth Leininger

Approval of Minutes:

Motion to Approve the June 18, 2015 Meeting Minutes:

OFFER: Sobieski

SECOND: Karch

AFFIRMATIVE: Florek, Bennett, Karch, Sobieski, Yodakis, Burke and Sullivan

NEGATIVE: None

RESOLUTIONS:

ZB917 – Portadin – Block 29.06, Lot 14 – 19 Oak Glen Road

Memorialization of a resolution granting a one year extension of time to the approved variance. The extension of time will begin January 16, 2015 and expire January 16, 2016.

Motion to Memorialize the Resolution:

OFFER: Sobieski

SECOND: Karch

AFFIRMATIVE: Florek, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

ZB922 – Procyk – Block 35, Lot 1.26 – 10 Utopia Drive

Memorialization of a resolution granting a one year extension of time to the approved variance. The extension of time will begin April 17, 2015 and expire April 17, 2016.

Motion to Memorialize the Resolution:

OFFER: Karch

SECOND: Sobieski

AFFIRMATIVE: Florek, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

ZB938 – Shaw – Block 9, Lot 60 – 10 Big Brook Terrace

Memorialization of a resolution withdrawing the application without prejudice

Motion to Memorialize the Resolution:

OFFER: Karch

SECOND: Yodakis

AFFIRMATIVE: Florek, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

ZB945 – Haaf – Block 21, Lot 27 – 520 Marl Road

Memorialization of a resolution granting permission to remove the existing deck and install a raised terrace with an outdoor kitchen and ground level fire pit in the A-1 Zone. A variance is required to permit a building separation between the proposed terrace and the existing swimming pool of 9.41’ where 20’ is required.

Motion to Memorialize the Resolution:

OFFER: Karch

SECOND: Bennett

AFFIRMATIVE: Florek, Bennett, Karch, Sobieski and Yodakis

NEGATIVE: None

ADMINISTRATIVE ITEMS:

None

APPLICATIONS: Old Business

None

APPLICATIONS: New Business:

ZB944 – Barna – Block 33, Lot 20.05 – 4 Camelot

Application to construct an inground pool, pavilion with fireplace, pillars, BBQ island and fence in the A-1 Zone. Variances are required to permit a side yard setback for the pavilion of 21’ where 50’ is required, a building separation between the BBQ and house of 15’ where 20’ is required, an accessory structure separation between the BBQ and pool of 4’ where 10’ is required and a 6’ pillar/fence in the front yard where 4’ is the maximum permitted.

The Board accepted the application. Eight items were marked as exhibits – zoning review, application, grading plan, Board of Health comments, Architectural Review Committee comments, Fire Marshall’s review, 11” x 17” photo of the backyard and an 11” x 17” photo close up of the backyard.

Mike Barna and Kimberly Curcio, property owners – sworn. Mr. Barna told the Board they had this home built and recently moved in. They are now trying to finish the back yard.

George Cavanaugh, contractor – sworn. Mr. Cavanaugh explained the home is a corner lot, Camelot and County Route 537. The portion of the fence along Route 537 is also considered a front yard and where they require a variance to allow the six foot pillars and five foot fence. Due to the scale of the home and property a four foot fence seems to short. There are existing trees and berms on the property so you cannot see the home from Route 537.

They are also requesting a six foot separation between the BBQ and a fifteen foot separation between the house and the BBQ. Mr. Cavanaugh stated due to the configuration of the existing home and the depth of the rear yard it is difficult to place the BBQ. The pool is only six feet deep at it deepest point.

An open pavilion with a vent free fireplace is proposed in the rear yard 21’ from the property line. They felt this was the best location for the pavilion, directly behind the pool.

Open to the public. Andra and Paul Ulashkevich, 89 County Road 537 East – sworn. The neighbors were concerned that the pavilion was very close to their property line and a current barbed wire fence veers off the property line leaving that portion of property unmaintained. The Ulashkevich’s want to maintain privacy for both property owners. Mr. Barna stated the current fence will be removed and a jerith fence will be installed along the property line.

The Board felt the pavilion was too close to the property line, the entire structure is within the setback. They did not feel it was a hardship just because it looked nice aesthetically stating the setback requirements are in place to maintain the character of the town. The applicant amended the application to remove the pavilion, requesting just the three variances. The Board felt the fence variance was reasonable and the Fire Marshall was not opposed to the separation variances for the BBQ.

Motion to Approve the Application:

OFFER: Sobieski

SECOND: Karch

AFFIRMATIVE: Florek, Bennett, Karch, Sobieski, Yodakis, Burke and Sullivan

NEGATIVE: None

ZB946 – Deputy Ventures – Block 14, Lot 6 – 260 Heyers Mill Road

Application to demolish the existing dwelling and construct a new single family dwelling in the A-1 Zone. Variances are required to issue a Building Permit on a lot without frontage on an improved street, a front setback of 50' where 75' is required, a building coverage of 12.52% where 6.6% is the maximum permitted and a total lot coverage of 24.21% where 20% is the maximum permitted.

The Board received a letter from the applicant requesting this application be carried to the August meeting. This application is carried to August 20, 2015 with no further notice.

DISCUSSION ITEMS:

None

EXECUTIVE SESSION

None

MOTION TO ADJOURN

A motion was made by Mr. Sobieski at 9:05 p.m. to adjourn the meeting, seconded by Mr. Karch and unanimously carried.

I hereby certify that the above is a true and exact copy of the Meeting minutes for the meeting conducted on July 16, 2015 adopted by the Board of Adjustment of the Township of Colts Neck at its meeting held on August 20, 2015.

Ruth Leininger, Assistant Secretary
Board of Adjustment of the
Township of Colts Neck